

*Electronically Filed on
July 28, 2006*

JANET L. CHUBB, ESQ.
Nevada Bar # 176
JONES VARGAS
100 W. Liberty St, 12th Floor
P.O. Box 281
Reno, NV 89504-0281
Telephone: (775) 786-5000
Fax: 775-786-1177
Email: jlc@jonesvargas.com
tbw@jonesvargas.com

Attorneys for JV Direct Lenders

**UNITED STATE BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:
USA COMMERCIAL MORTGAGE COMPANY,
Debtor.

USA CAPITAL REALTY ADVISORS, LLC
Debtor.

USA CAPITAL DIVERSIFIED TRUST DEED
FUND, LLC,
Debtor.

USA CAPITAL FIRST TRUST DEED FUND,
LLC,
Debtor.

USA SECURITIES, LLC,
Debtor.

Affects:

- All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund
- ☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

Chapter 11

**Jointly Administered Under
Case No. BK-S-06-10725 LBR**

**REQUEST FOR SPECIAL NOTICE
[AFFECTS ALL DEBTORS]**

Hearing Date: n/a
Hearing Time: n/a

TO: ALL INTERESTED PARTIES

The Charles B. Anderson Trust, Rita P. Anderson Trust, and Baltes Company, JV Direct Lenders in the above-referenced bankruptcy estate, hereby request notice of all pleadings, papers, hearings, meetings and other matters in connection with the above-captioned case.

Notices pursuant to this request are to be sent to the following address:

Charles B. Anderson Trust
Rita P. Anderson Trust
Baltes Company
211 Copper Ridge Court
Boulder City, NV 89005
Telephone: 702-565-0835
Email: chasband@earthlink.net

Neither this request for notice, nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion or any other writing or conduct, shall constitute a waiver of the following rights:

1. Right to have any final orders in any non-core matters entered only after de novo review by a United States District Judge;
2. Right to trial by jury in any proceeding in which this right exists, whether the right be designated legal or private, whether the right is asserted in any related case, controversy or proceeding, notwithstanding the designation *vel non* of the proceeding as "core" under Section 157(b)(2)(H) of the United States Bankruptcy Code, and whether the right is asserted under statute or the United States Constitution;
3. Right to have the United States District Court withdraw the reference of this matter in any proceeding subject to mandatory or discretionary withdrawal; or,
4. Other rights, claims, actions, defenses, setoffs, recoupments or other matters to which this party is entitled under any agreements, at law or in equity, or under the United States Constitution.

The Charles B. Anderson Trust, Rita P. Anderson Trust, and Baltes Company expressly reserve all of the rights listed above.

////

1 Filing this request for notice or participating in this bankruptcy proceeding shall not be
2 deemed to constitute a concession or admission of jurisdiction in this case or before this Court.

3 DATED: July 28, 2006

4 JONES VARGAS

5
6 By: //s// Janet L. Chubb
7 JANET L. CHUBB

8 Attorneys for Direct Lenders/Beneficiaries
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

CERTIFICATE OF SERVICE

1. On July 28, 2006, I served the following document(s):

REQUEST FOR SPECIAL NOTICE

2. I served the above-named document(s) by the following means to the persons as listed below:

: a. **ECF System** (attach the "Notice of Electronic Filing" or list all persons and addresses):

- **FRANKLIN C. ADAMS**
franklin.adams@bbklaw.com arthur.johnston@bbklaw.com
- **NANCY L ALLF**
nallf@parsonsbehle.com; klawrence@parsonsbehle.com; tthomas@parsonsbehle.com; ecf@parsonsbehle.com
- **KELLY J. BRINKMAN**
kbrinkman@gooldpatterson.com
- **THOMAS R BROOKSBANK**
brooksbankt1@sbcglobal.net kaya1@sbcglobal.net
- **MATTHEW Q. CALLISTER**
mqc@callister-reynolds.com maggie@callister-reynolds.com
- **CANDACE C CARLYON**
ltreadway@sheacarlyon.com; ccarlyon@sheacarlyon.com; bankruptcyfilings@sheacarlyon.com; rsmith@sheacarlyon.com
- **ROB CHARLES**
rcharles@lrlaw.com cjordan@lrlaw.com
- **MICHAEL W. CHEN**
michael@ccfirm.com yvette@ccfirm.com
- **KEVIN B. CHRISTENSEN**
kbchrislaw@aol.com
- **JEFFREY A. COGAN**
jeffrey@jeffreycogan.com sarah@jeffreycogan.com
- **WILLIAM D COPE**
cope_guerra@yahoo.com cope_guerra@yahoo.com
- **CICI CUNNINGHAM**
bankruptcy@rocgd.com
- **LAUREL E. DAVIS**
bklsclv@lionelsawyer.com; ldavis@lionelsawyer.com; gbagley@lionelsawyer.com; ldavisesq@aol.com
- **THOMAS H. FELL**
thf@gordonsilver.com bankruptcyntices@gordonsilver.com
- **SCOTT D. FLEMING**
sfleming@halelane.com dbergsing@halelane.com, ecfvegas@halelane.com
- **GREGORY E GARMAN**
bankruptcyntices@gordonsilver.com
- **WADE B. GOCHNOUR**
wgochnour@hwmlvlaw.com donnat@hwmlvlaw.com
- **CARLOS A. GONZALEZ**
carlos.gonzalez2@usdoj.gov; arlene.Ruckard@usdoj.gov; Eunice.Jones@usdoj.gov; Sue.Knight@usdoj.gov

H:\Fs1Wp51\Direct Lenders\JV Direct Lenders 500953.1\Pleadings\request for notice anderson baltes 7.27.06.doc

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

- 1 • **GERALD M GORDON**
bankruptcynotices@gordonsilver.com
- 2 • **TALITHA B. GRAY**
tbg@gordonsilver.com bankruptcynotices@gordonsilver.com
- 3 • **MARJORIE A. GUYMON**
bankruptcy@goldguylaw.com ddias@goldguylaw.com
- 4 • **EDWARD J. HANIGAN**
haniganlaw@earthlink.net haniganlaw1@earthlink.net
- 5 • **XANNA R. HARDMAN**
xanna.hardman@gmail.com
- 6 • **STEPHEN R HARRIS**
steve@renolaw.biz noticesbh&p@renolaw.biz
- 7 • **DAVID W. HUSTON**
dwh@hustonlaw.net swaits@hustonlaw.net
- 8 • **CHRISTOPHER D JAIME**
cjaime@waltherkey.com kbernhar@waltherkey.com
- 9 • **EVAN L. JAMES**
ejameslv@earthlink.net kbchrislaw@aol.com
- 10 • **ANNETTE W JARVIS**
- 11 • **TY E. KEHOE**
TyKehoeLaw@aol.com
- 12 • **ROBERT R. KINAS**
rkinas@swlaw.com
mstrand@swlaw.com;jlustig@swlaw.com;chaines@swlaw.com;imccord@swlaw.co
- 13 m
- 14 • **ZACHARIAH LARSON**
ecf@lslawnv.com
- 15 • **NILE LEATHAM**
nleatham@klnevada.com ckishi@klnevada.com;bankruptcy@klnevada.com
- 16 • **ROBERT C. LEPOME**
robert@robertlepome.com susan@robertlepome.com
- 17 • **REGINA M. MCCONNELL**
rmccconnell@kssattorneys.com
- 18 • **WILLIAM L. MCGIMSEY**
lawoffices601@lvcoxmail.com
- 19 • **RICHARD MCKNIGHT**
mcknightlaw@cox.net
gkopang@lawlasvegas.com;cburke@lawlasvegas.com,sforemaster@lawlasvegas.co
- 20 m
- 21 • **JEANETTE E. MCPHERSON**
bkfilings@s-mlaw.com bkfilings@s-mlaw.com;jmcperson@s-mlaw.com
bkfilings@s-mlaw.com
- 23 • **SHAWN W MILLER**
bankruptcyfilings@sheacarlyon.com;smiller@sheacarlyon.com;aboehmer@sheacarly
- 24 on.com;ltreadway@sheacarlyon.com;rsmith@sheacarlyon.com
- 25 • **DAVID MINCIN**
mcknightlaw@cox.net;kopang@lawlasvegas.com;dmincin@lawlasvegas.com,cburke
@lawlasvegas.com,sforemaster@lawlasvegas.com
- 26 • **JOHN F MURTHA**
jmurtha@woodburnandwedge.com
- 27 • **ERVEN T. NELSON**
erv@rlbolick.com susan@rlbolick.com
- 28

H:\Fs1Wp51\Direct Lenders\JV Direct Lenders 500953.1\Pleadings\request for notice anderson baltes 7.27.06.doc

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

- 1 • **BOB L. OLSON**
ecffilings@beckleylaw.com bolson@beckleylaw.com;dgriffis@beckleylaw.com
- 2 • **DONNA M. OSBORN**
ebaker@marquisaurbach.com;dosborn@marquisaurbach.com;tszostek@marquisaurb
- 3 ach.com;kgallegos@MarquisAurbach.com
- 4 • **DONALD T. POLEDNAK**
sandplegal@yahoo.com spbankruptcy@yahoo.com
- 5 • **PAUL C RAY**
info@johnpeterlee.com
- 6 • **SUSAN WILLIAMS SCANN**
sscann@deanerlaw.com palexander@deanerlaw.com
- 7 • **LENARD E. SCHWARTZER**
bkfilings@s-mlaw.com
- 8 • **SHLOMO S. SHERMAN**
ssherman@sheacarlyon.com;aboehmer@sheacarlyon.com;bankruptcyfilings@sheaca
- 9 rlyon.com;ltreadway@sheacarlyon.com;mmallet@sheacarlyon.com;rsmith@sheacarl
- 10 yon.com
- 11 • **JEFFREY G. SLOANE**
giklepel@yahoo.com rmccconnell@kssattorneys.com
- 12 • **DAVID A. STEPHENS**
dstephens@lvcm.com
- 13 • **PETER SUSI**
cheryl@msmlaw.com msm@msmlaw.com
- 14 • **JEFFREY R. SYLVESTER**
jeff@sylvesterpolednak.com David@sylvesterpolednak.com
- 15 • **CARYN S. TIJSSELING**
cst@beesleymatteoni.com aha@beesleymatteoni.com
- 16 • **WHITNEY B. WARNICK**
wbw@albrightstoddard.com bstessel@albrightstoddard.com
- 17 • **JOAN C WRIGHT**
jwright@allisonmackenzie.com jbrooks@allisonmackenzie.com
- 18 • **MATTHEW C. ZIRZOW**
bankruptcynotices@gordonsilver.com

: b. **United States mail, postage fully prepaid** (list persons and addresses):

- 19 Evan Beavers
- 20 1625 Highway 88, #304
- 21 Minden, NV 89423
- 22 Joshua D Brysk
- 23 Law Offices of James G Schwartz
- 24 7901 Stoneridge Drive, Suite 401
- 25 Pleasanton, CA 94588
- 26 Elissa F. Cadish, Esq.
- 27 Matthew J. Kreutzer, Esq.
- 28 J. Stephen Peek, Esq.
- Hale Lane Peek Dennison
- 3920 Howard Hughes Pky, 4th Floor
- Las Vegas, NV 89169

H:\Fs1Wp51\Direct Lenders\JV Direct Lenders 500953.1\Pleadings\request for notice anderson baltes 7.27.06.doc

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
23
24
25
26
27
28

R. Vaughn Gourley, Esq.
Stephens Gourley & Bywater, P.C.
3636 N. Rancho Dr.
Las Vegas, NV 89130

Thomas J. Allison
c/o USA Capital
4484 S. Pecos Blvd.
Las Vegas, NV 89121

Reid W. Lambert, Esq.
Elizabeth P. Loveridge, Esq.
Russell S. Walker, Esq.
Woodbury & Kesler, P.C.
265 East 100 Southy, Suite 300
Salt Lake City, UT 84111

Lee D. Mackson, Esq.
Shutts & Bowen, LLP
1500 Miami Center
201 South Biscayne Blvd.
Miami, FL 33131

Breck E. Milde, Esq.
60 South Market St., #200
San Jose, CA 95113

James G Schwartz
7901 Stoneridge Dr #401
Pleasanton, CA 94588

Thomas W Stilley
1000 SW Broadway #1400
Portland, OR 97205

Gregory J Walch
400 S Fourth St 3rd Floor
Las Vegas, NV 89101

Marion E. Wynne, Esq.
Wilkins, Bankester, Biles & Wynne, P.A.
Post Office Box 1367
Fairhope, AL 36533-1367

9 c. Personal Service (list persons and addresses):
I personally delivered the document(s) to the persons at these
addresses:

9 For a party represented by an attorney, delivery was made by
handing the document(s) to the attorney or by leaving the
document(s) at the attorney's office with a clerk or other person

H:\Fs1Wp51\Direct Lenders\JV Direct Lenders 500953.1\Pleadings\request for notice anderson baltes 7.27.06.doc

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

9 For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

: d. **By direct email (as opposed to through the ECF System)** (list Persons and email addresses):

Susan M. Freeman
sfreeman@lrlaw.com

Frank Merola, Eve Karasik & Christine M. Pajak
fmerola@stutman.com; ekarasik@stutman.com; cpajak@stutman.com

Marc A. Levinson & Lynn Trinko Ernce
malevinson@orick.com; lernce@orrick.com

Bob L. Olson & Anne M. Loraditch
bolson@beckleylaw.com; aloraditch@beckleylaw.com

Stan Wolken
bayareastan@yahoo.com

Nicholas J. Santoro
NSantoro@Nevadafirm.com

Jed A. Hart, Esq.
jhart@angelogordon.com

Bradley J. Stevens, Esq.
bstevens@jsslaw.com

Richard Mason, Patricia K. Smoots, & Michael M. Schmahl
rjmason@mcguirewoods.com; psmoots@mcguirewoods.com; mschmahl@mcguirewood.com

Andrew Welcher c/o William E. Winfield,
wwinfield@nchc.com

Annette W. Jarvis, Steven C. Strong, & Douglas M. Monson
ajarvis@rqn.com; sstrong@rqn.com; dmonson@rqn.com

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

9 e. By fax transmission (list persons and fax numbers):

H:\Fs1Wp51\Direct Lenders\JV Direct Lenders 500953.1\Pleadings\request for notice anderson baltes 7.27.06.doc

JONES VARGAS
100 W. Liberty Street, 12th Floor
P.O. Box 281
Reno, Nevada 89504-0281
Tel: (775) 786-5000 Fax: (775) 786-1177

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

9 f. By messenger:

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed blow and providing them to a messenger for service. (A declaration by the messenger must be attached to this Certificate of Service).

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 28th day of July, 2006.

J. Englehart & Tawney Waldo
Name

//s// Tawney Waldo & J. Englehart
Signature